

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAMES BLAKES, et al.,

Plaintiffs,

vs.

ILLINOIS BELL TELEPHONE
COMPANY d/b/a AT&T Illinois,

Defendant.

CASE NO. 11-cv-336

Judge Kim

On Consent

JOINT MOTION FOR CLARIFICATION OF JUNE 8, 2015 COURT ORDER

Plaintiffs, and Defendant Illinois Bell Telephone Company (“Defendant” or “Illinois Bell”), by and through their attorneys, respectfully requests that the Court clarify its Minute Entry dated June 8, 2015 dismissing 262 plaintiffs based on the jointly filed stipulation to dismiss. [Dkt. 392] Specifically, the parties request that the Court clarify its Minute Entry to dismiss these plaintiffs with prejudice. In support of its motion, the parties state as follows:

1. On March 23, 2015, the Court ordered counsel for plaintiff to serve a Court-approved survey on those plaintiffs who had opted in to this matter and had JAMS data on or after December 1, 2009. [Dkt. 379]. On May 21, 2015, the Court held a status conference to substantively review the plaintiffs’ survey responses and identify those plaintiffs the parties agreed should be dismissed from the class in this case. [Dkt. 395, p. 2: 18-21] The Court subsequently ordered that the parties file a joint stipulation identifying the “opt-ins to be dismissed from this action.” [Dkt. 390]

2. On June 5, 2015, the parties filed their joint stipulation identifying the 262 plaintiffs to be dismissed and the reasons for their dismissals.

3. On June 6, 2015, the Court dismissed the plaintiffs identified by the parties. [Dkt. 371] The dismissal did not identify whether the plaintiffs were being dismissed with or without prejudice.

4. The parties agree that the 262 plaintiffs should be dismissed with prejudice. Therefore, the parties respectfully request that the Court modify its order to clarify that the dismissal is with prejudice.

Wherefore, the parties respectfully request that the Court enter an Order clarifying its prior order to specify that the plaintiffs dismissed pursuant to stipulation on June 8, 2015 are dismissed with prejudice in this matter.

Respectfully Submitted,

/s/ Walker R. Lawrence

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CERTIFICATE OF SERVICE

I hereby certify I caused a copy of the foregoing document to be served on all attorneys of record via the Court's CM/ECF System on August 4, 2015.

/s/ Lindsey M. Hogan

Lindsey M. Hogan